

Bureau of Indian Affairs

CHAT SALES

Roles & Responsibilities

Negotiated Sales

- Agency receives proposal from prospective purchaser
- Draft Chat Sales Agreement, Acceptance Forms, and Cobell Waivers are sent to the individual chat owners. The first negotiated sales packet was sent out April 30, 2010.
- Notices will be mailed by Certified Mail. Please pick up, review, sign and return.
- The signed Acceptance forms are logged when returned.
- Acceptance for a negotiated Agreement is based on the following percentages:
 - Five (5) or fewer owners of the undivided interest – 90%
 - More than five (5) owners, but fewer than 11 – 80%
 - More than ten (10) owners, but fewer than 20 - 60%
 - If there are 20 or more owners, the applicable percentage shall be a simple majority.

Bid Sales

- 90-Day Notices will be prepared and sent to the individual owners by Certified Mail. If after the 90 day period the individual owners have not negotiated a lease then the Agency will advertise.
- Bid packets are mailed to prospective purchasers 30 days prior to the bid opening.
- Contracts are awarded to the high bidder.
- Individual owners will then have 30 days to appeal the decision.

Surface Lease

- The surface leases for the land beneath the chat piles will be prepared by the Quapaw Tribe in conjunction with the Bureau of Indian Affairs and the Chat Sales Agreements.
- The Chat purchaser will have to lease the surface to have access to the chat pile.
- Notices and acceptance forms will be mailed to individual land owners.
- The percentage of acceptance will be as follows:
 - Five (5) or fewer owners of the undivided interest – 90%
 - More than five (5) owners, but fewer than 11 – 80%
 - More than ten (10) owners, but fewer than 20 - 60%
- If there are 20 or more owners, the applicable percentage shall be a simple majority.
- Annual rental payments will be sent to the lockbox in Farmington, MO.

Chat Royalty Market Analysis

- Market Analysis has been completed by Gustavson Associates in Denver, CO

Chat Quantities

- Quantities determined by U.S. Geological Survey (USGS) prior to sales
- State of the art method for determining chat quantities
- Aerial light detection and ranging (LiDAR) survey
- Digital Elevation Model
- Spring 2010

Chat Product Verification during Sales

- Bureau of Land Management (BLM), USGS and BIA will monitor chat removal.
- Purchaser must weigh and record every ton of chat removed.
- Purchaser must have measurement records available for review by BIA, BLM, or EPA at all times.
- BLM will compare weight records for removal with periodic USGS quantities.

Payment Method

- Purchaser will mail payment to the lockbox in Farmington, MO.
- The Agency will instruct the Office of the Special Trustee (OST) on the distribution within 24 hours (week day) after it is received in the lockbox.

Q & A

WHAT IF?

THANK YOU

